S.B. CRIMINAL MISC. IInd BAIL APPLICATION NO.1970/2006
(Rakesh Vs. State)

Date of order : 10.5.2006

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. D.K. Gaur, for the applicant.
Mr. Ashok Upadhyay, Public Prosecutor.

I have heard learned counsel for the applicant as well as learned Public Prosecutor for the State. I have also gone through the challan papers.

It is contended by the learned counsel for the applicant that earlier bail application was rejected by this Court and liberty was granted to the applicant to file fresh bail application after filing of the challan. It is contended that now challan has already been filed and other co-accused have already been enlarged on bail.

Taking into consideration the facts and circumstances of the case and without expressing any opinion, I think it just and proper to enlarge the accused-applicant on bail.

Accordingly, the second bail application filed under Section 439 Cr.P.C. is allowed and it is directed that the applicant Rakesh S/o Jai Ram shall be released on bail (in FIR No.53/2006 P.S. Kotwali District Nagaur) provided he executes a personal bond in the sum of Rs.20,000/- and furnishes two sound and

solvent sureties in the sum of Rs.10,000/- each to the satisfaction of the learned trial court for his appearance before that Court on each and every date of hearing and whenever called upon to do so, till the completion of trial.

This order will be subject to the condition that in case any such offence of similar nature is committed by the applicant during the pendency of the present case then it will be open to the prosecution to move application for cancellation of the bail.

(GOPAL KRISHAN VYAS), J.

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